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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q63516

Eun-kyung LEE, et al.

Appln. No.: 09/835,319

Group Art Unit: 2828

Confirmation No.: 5337

Examiner: RODRIGUEZ, ARMANDO

Filed: April 17, 2001

For: MULTI-WAVELENGTH SURFACE EMITTING LASER AND METHOD FOR
MANUFACTURING THE SAME

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 09/835,319

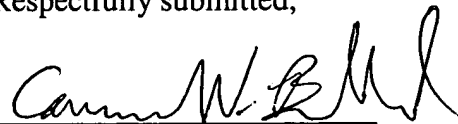
concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. §1.704(d) is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 20, 2004



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STATEMENT UNDER 37 C.F.R. § 1.704(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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| Substitute for Form 1449 A & B/PTO | | INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | <i>Complete if Known</i> | |
| | | | | Application Number | 09/835,319 |
| | | Confirmation Number | 5337 | | |
| | | Filing Date | April 17, 2001 | | |
| | | First Named Inventor | Eun-kyung LEE | | |
| | | Art Unit | 2828 | | |
| | | Examiner Name | RODRIGUEZ, ARMANDO | | |
| Sheet | 1 | of | 1 | Attorney Docket Number | Q63516 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|---|
| Examiner Initials* | Cite No. ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
| | | Number | Kind Code ² (if known) | | |
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| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | | |
| | | EP | 0818860 | A1 | 01/14/1998 | Xerox Corporation | |
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| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|--|--------------------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation ⁶ |
| | | YANG K et al.: "Monolithic Oxide-Confined Multiple-Wavelength Vertical-Cavity Surface-Emitting Laser Arrays with a 57-nm Wavelength Grating Range Using an Oxidized Upper Bragg Mirror": IEEE Photonics Technology Letters, IEEE Inc. New York, US, vol. 12, no. 4, April 2000; pages 377-379, XP000950284 | |
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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.